

Serial Number: 10/709,364
Filed: 4/29/2004

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Remarks

Applicant has identified and corrected an antecedent basis error in claim 24. The groove in which the second spring is seated to bias the outer spring fingers inward is the second groove 27.

The Examiner rejected claims 1-10, 12-24 and 26-29 under 35 U.S.C. 103(a) as unpatentable over *Lewis* in view of *D'Addario*. The present novel and nonobvious invention provides a simplified and cost effective connector interface for use with existing standard threaded connectors (spec. para. 39). Before the present invention, push-on connectors for low power applications, in general, applied outer spring fingers, such as those disclosed in *D'Addario* - a Type F connector, of suspect mechanical reliability and high frequency electrical performance (spec. para. 5). The present invention is the first recognition that the bore surface inner diameter of existing threaded connectors such as Type N or SMA may be utilized according to the invention as a connection and retention surface to reinforce both the mechanical and electrical interconnection of a reliable push-on connection interface according to the invention having the benefit of being usable with the existing threaded connectors.

The Examiner suggests one skilled in the art would modify *Lewis* with the addition of the spring fingers as taught in *D'Addario* to arrive at the claimed invention "in order to reduce the likelihood of intermittent electrical discontinuity". As previously argued (Applicant's Response filed May 31, 2005), Applicant respectfully submits that *Lewis* does not suffer from "intermittent electrical discontinuity" (See *Lewis*, abstract) and therefore, this is not a reasonable basis for the cited combination and further has nothing to do with the problem facing the inventor at the time of the invention, that is developing a reliable quick connect connection interface usable with existing high power / frequency threaded connectors. In response to Applicant's previous arguments, the Examiner states that the Abstract of *Lewis* "does not mention anything about the connector not suffering from intermittent electrical discontinuity". The Examiner is correct. What the *Lewis* abstract does specifically mention in the last three lines is that the design of *Lewis* "enhances the

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connection between the outer conductors and improves radio frequency interference suppression". Therefore, the Examiner's stated basis for the combination is not a recognized problem to be solved via the cited combination. The mere fact references can be combined or modified does not render the resultant combination obvious unless the prior art also suggest the desirability of the combination. *In re Mills* 916 F.2d 680 (Fed. Cir. 1990). With the cited combination, there is nothing to suggest the desirability of the combination, within the teachings themselves, or what they may suggest to one skilled in the art. Therefore, rejections based upon the cited combination are improper.

Also, in the previous response Applicant argued:

Further, Examiner admits that the cited references fail to include a first spring located on an outer diameter of the connector body sleeve. The Examiner cites *In re Japikse* for the premise that "rearranging parts of an invention involves only routine skill in the art" and suggests it would be obvious to place the female connector interface mounted spring(s) of *Lewis* on the male connector interface to satisfy the elements of the present invention. Applicant respectfully submits that *Japikse* only referred to the patentability of a device where the operator buttons had been moved from one area of the machine to another and would not have modified the operation of the device, itself. ... The Examiner has failed to provide the required motivation for the "rearrangement" he has suggested. With respect to "rearrangement", the prior art must provide a motivation or reason for the worker in the art to make the necessary changes to the reference device. *Ex parte Chicago Rawhide Mfg. Co.* 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984), MPEP 2144.04(C)).

The Examiner has ignored this argument. Further, in the present action, the Examiner has again failed to provide the required motivation for the "rearrangement" he has suggested. Therefore, each of the rejections (all present rejections) relying upon this combination, are improper. The

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Examiner has improperly applied the requirements of "rearrangement" which appear in the MPEP at 2144.04 VI (C), taking a quote out of context from *In re Japikse* while ignoring the remainder of the MPEP paragraph in which the citation from *In re Japikse* appears. The Examiner has ignored/failed to provide the required motivation for the "rearrangement" he has suggested. With respect to "rearrangement", the prior art must provide a motivation or reason for the worker in the art, without the benefit of the applicant's specification, to make the necessary changes to the reference device. *Ex parte Chicago Rawhide Mfg. Co.* 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984), MPEP 2144.04 VI (C)). The BPAI has repeatedly reversed Examiners relying upon a "simple rearrangement" position based upon a citation of *In Re Japikse*, alone, stating that no such *per se* rule exists.

Further with respect to claims 5, 6, 7, 8 the Examiner has failed to indicate where the claimed spring finger ring, located on an outer diameter of the sleeve, with a plurality of spring fingers projecting outward from the collar are disclosed taught or suggested in the cited references. Applicant respectfully submits that these elements fail to appear in the cited references and, again, invites the Examiner to identify their appearance with the required particularity or withdraw these rejection(s). As each and every element of the claimed invention fails to be disclosed, taught or suggested in the cited reference, rejection of claims 5, 6, 7 and 8 under 35 U.S.C. 103(a) is improper.

Similarly with respect to claim 10, 22 and 24 the Examiner has failed to indicate where the claimed second groove and or second spring are disclosed taught or suggested in the cited references. Applicant respectfully submits that these elements fail to appear in the cited references and invites the Examiner to identify their appearance with the required particularity or withdraw this rejection (similar rejections have been withdrawn by the Examiner in the prosecution of the parent application, 10/707,912). As each and every element of the claimed

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invention fails to be disclosed, taught or suggested in the cited reference, rejection of claim 10, 22 and 24 under 35 U.S.C. 103(a) is improper.

Further with respect to claims 20 and 21 the Examiner has failed to indicate where the claimed first spring deflectable protrusions and spring fingers, respectively, are disclosed taught or suggested in the cited references. Applicant respectfully submits that these elements fail to appear in the cited references and, again, invites the Examiner to identify their appearance with the required particularity or withdraw this rejection. As each and every element of the claimed invention fails to be disclosed, taught or suggested in the cited reference, rejection of claims 20 and 21 under 35 U.S.C. 103(a) is improper.

Further with respect to claims 26-29, the Examiner identifies portions of the inward biased spring finger(s) 32 of D'Addario. Applicant respectfully submits that the inward biased spring fingers identified by the Examiner cannot be characterized as a collar with deflectable protrusions extending there from "adapted to contact the inner diameter surface in an interference fit..." as claimed. The spring fingers identified by the Examiner extend inward, not outward. As each and every element of the claimed invention fails to be disclosed, taught or suggested in the cited reference, rejection of claims 26 and 29 under 35 U.S.C. 103(a) is improper.

The Examiner rejected claims 11 and 25 under 35 U.S.C. 103(a) as unpatentable over *Lewis* in view of *D'Addario* and further in view of "applicant's admitted prior art". The Examiner admits *Lewis* and *D'Addario* both fail to disclose that the female connector is either a Type N or SMA connector and suggests it would be obvious to modify the interface of *Lewis* and *D'Addario* by using Type N connectors "to make the connector more versatile". Applicant's arguments against the combination of *Lewis* and *D'Addario*, and the fact that even upon "combination" these references fail to disclose each and every element of the claimed invention, described in detail herein above, also apply here.

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Further, for the Examiner's ready reference and to demonstrate the total incompatibility of the cited references therewith, the connector industry standard specification for both the SMA and Type N connector interface(s) are attached. Making the modifications the Examiner suggests destroys the original purpose / intended connector interface compatibility of each of the cited references. Applicant respectfully submits that "making the connector more versatile" is not a reasonable basis for supporting the "combination" proposed by the Examiner and further that such motivation appears nowhere in either of the cited references, as required. In fact, Type N connectors have no reasonable compatibility and or incentive for combination with the cited references but for the specific teachings of applicant's disclosure, a clear application of improper hindsight by the Examiner.

In addition, the "rearrangement" suggested by the Examiner, addressed herein above, has no basis when the mating connector is either SMA or Type N, because the "rearranged" features the Examiner relies upon are neither present nor have any purpose in SMA or Type N configurations.

Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital* 732 F.2d 1572, 1577 (Fed.Cir. 1984). Absent a showing in the prior art the Examiner has impermissibly used 'hindsight' occasioned by the applicant's teaching to hunt through the prior art for the claimed elements and combined them as claimed. *In re Zurko* 111 F.3d 887 (Fed.Cir.1997). Therefore, rejection of claims 1-29 under 35 U.S.C. 103(a) is improper.

Having obviated each of the Examiners rejections, applicant respectfully requests that a notice of allowance be issued. Should the Examiner be inclined to issue an Official Action other than the

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notice of allowance, Applicant respectfully requests that the Examiner first contact Applicant by telephone at the number listed below.

Respectfully submitted,

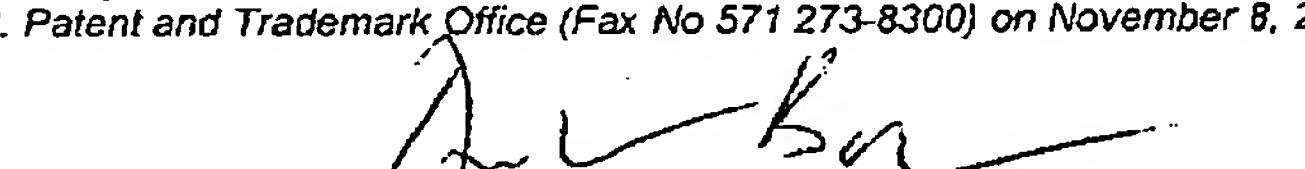

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/Encl: SMA and Type N Standard Interface Specification (4 sheets)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No 571 273-8300) on November 8, 2005.


Andrew D. Babcock